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EXAMINER	
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ART UNIT	**PAPER NUMBER**
3623	

DATE MAILED: 05/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/100,133	CONMY ET AL.	
	Examiner	Art Unit	
	Susanna M. Diaz	3623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *01 March 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-37* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-37* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on March 1, 2005 has been entered.

Claims 1, 5-7, 17, 26, and 30 have been amended.

Claims 1-37 are presented for examination.

Response to Arguments

2. Applicant's arguments filed March 1, 2005 have been fully considered but they are not persuasive.

Applicant argues, "Even if this were an accurate representation of the teachings of Rizzo, it would still not cure the admitted deficiency of Zhang because displaying a composite calendar to enable selection of an appropriate meeting time, as is allegedly taught by Rizzo, is different than automatically determining if potential invitees will be available at a time interval that has already been requested." (Page 14 of Applicant's response) The Examiner respectfully disagrees. While Rizzo provides a busy time determination means to assist in picking a slot when all guests are free based on a composite of all guests' schedules, the user still selects the time for the meeting before

sending out formal invitations (¶¶ 7-8). "Once you've selected a time for your meeting, Meeting Maker XP also displays an icon for each attendee that indicates whether or not the guest is available during the selected time" (¶ 7). Therefore, even after the user selects the meeting time, Meeting Maker XP still indicates whether or not each guest is available during the selected meeting time. The claimed invention does not exclude assessment of the busy and free times of potential invitees at multiple stages of the scheduling process.

Applicant argues:

> Additionally, assuming arguendo that Rizzo did cure the admitted deficiency of Zhang, the proposed combination would still not teach or suggest automatically sending the potential invitees an electronic mail invitation to attend at the time interval requested based on the automatic determination made as to whether the potential invitees are available during the time interval. (Page 14 of Applicant's response)

The use of a computer to assist in performing a function exemplifies some level of automation of the function, regardless of the extent of intervention by a human, Furthermore, as discussed in the rejection under 35 U.S.C. § 112, 2nd paragraph presented below, the scope of automatically sending the invitation based on the automatic determination is vague and indefinite.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the

> art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 19 and 20 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Independent claim 17 (from which claims 19 and 20 depend) has been amended to recite that the server is operable to "send an electronic mail invitation to one or more of the invitees listed in the request automatically based on the automatic determination made as to whether the one or more invitees are available to attend the event" (which is described on page 3, lines 18-25 of the specification). Claims 19-20 are directed toward determining alternative start times for an event, which corresponds to the best fit determination for a meeting time, as depicted in Figures 3-9. These embodiments are not disclosed as usable together; therefore, the recent integration of the two embodiments in claims 19 and 20 is deemed to present an issue of new matter as well as inadequate written disclosure since Applicant did not convey possession of this invention at the time of original filing of the instant application.

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 1-37 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The scope of "to automatically send each of the one or more potential invitees available an electronic mail invitation to attend at the time interval requested *based on* the automatic determination made by the busy time determination means as to whether those one or more potential invitees are available during the time interval requested, wherein each of the one or more potential invitees that receives an electronic mail invitation becomes an invitee" (recited in independent claim 1) is vague and indefinite. It is not clear whether the electronic mail invitation is only sent to those potential invitees deemed to be available or whether it is sent to at least those potential invitees deemed to be available. The Examiner has looked toward the specification for clarification and has found only the following excerpt:

> ...A request generator connected over a network to the one or more server generates a request for allocation of a time interval for one or more of the plurality of invitees. The system then provides a busy time determination device that gathers the profiles for the plurality of invitees that were requested by the request generating means and that are available in the databases and determines whether those invitees are available during the time interval requested by the request generating means. For all available invitees, the electronic mail address in the profile is used to send each available requested invitee an invitation to attend at the requested time interval. (Page 3, lines 18-25 of the specification)

This excerpt fails to explain whether or not invitations are actively prevented from being sent to non-available invitees. The scope of sending the invitations "based on the

automatic determination made by the busy time determination means" is unclear because the metes and bounds of the "based on" language are not clearly limited in the claims, nor is such language expanded upon in the specification. As a matter of fact, the drawings and the detailed description of the invention disclose embodiments of the invention in which the meeting planner can find a best fit time that optimizes a meeting time for all potential invitees. Figures 5-9 are clearly illustrative of this interpretation of this embodiment invention and are reflected in various claims, including dependent claims 19 and 20.

Similar limitations are recited in independent claims 5, 6, 7, 17, 26, and 30 (and all dependent claims); therefore, the same rejection applies to these claims as well.

For examination purposes, the limitation in question will be interpreted as non-exclusionary in the sense that the invitation is automatically sent at least to the potential invitees determined to the available. If Applicant argues this interpretation, then the claims should be amended to be limited to such an exclusion and proper support should be cited from the specification as well.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8. Claims 1-20, 23, 25-27, and 29-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zhang et al. (U.S. Patent No. 6,016,478) in view of Meeting Maker XP, as disclosed in Rizzo ("Meeting Maker XP: ON Technology Takes Its Group Scheduler Cross-Platform").

Zhang discloses a system for scheduling time intervals for a plurality of invitees comprising:

[Claim 1] database means in communication with one or more server means for storing one or more invitee profiles for one or more potential invitees of the system, the one or more invitee profiles comprising user profiles wherein each user profile comprises an electronic mail address for the user (Figs. 5E, 5G, 7C; col. 11, lines 54-59);

request generating means, connected over a network to the one or more server means, for generating a request for allocation of a time interval for the one or more potential invitees (col. 10, lines 44-64; col. 11, line 6 through col. 12, line 11; col. 16, lines 14-23);

means for scheduling a meeting by using the electronic mail address in the invitee profile to send each of the one or more potential invitees available an invitation to attend at the time interval requested thereby making each of the one or more potential invitees an invitee, wherein the electronic mail invitation includes a plurality of response options for the invitee to respond to the electronic mail invitation, wherein the plurality of response options includes accepting the electronic mail invitation and

declining the electronic mail invitation (Figs. 5E, 5G, 7C; col. 5, line 66 through col. 6, line 46; col. 11, lines 54-59);

means for enabling the invitee to respond to the electronic mail invitation using at least one of the plurality of response options (Fig. 7C; col. 13, lines 14-59); and

means for automatically updating the invitee's invitee profile based on the invitee's response to the electronic mail invitation (col. 7, lines 27-32; col. 8, lines 59-62);

[Claim 2] wherein the invitee profiles comprise resource profiles regarding one or more resources (Figs. 8A, 8C ; col. 9, lines 23-50; col. 16, lines 14-23);

[Claim 3] wherein the one or more resources include rooms and wherein the profile comprises information about the capacity of each room (Fig. 8C; col. 9, lines 23-50; col. 15, lines 28-29);

[Claim 4] wherein the one or more resources include equipment (col. 9, lines 23-50);

[Claim 31] wherein the plurality of response options further includes assigning a substitute attendee for the meeting and requesting for re-scheduling the meeting (col. 13, lines 39-59).

Regarding claims 1 and 2, Zhang invites potential meeting attendees to a meeting using an electronic message system that transmits meeting invitations and corresponding responses via a server (as discussed above). The potential meeting attendees alert the meeting planner as to whether or not they can attend based on their own stored calendars. When a potential meeting attendee is not available for a

proposed meeting, he/she has the option of attaching his/her "Calendar's Free Time Report for Next 30 Days" (Fig. 6B) in order to assist the meeting planner in assessing a better date for the proposed meeting (col. 15, lines 1-10). Therefore, Zhang's potential meeting attendees manually make the meeting planner aware of their respective schedules and may optionally attach a file containing information regarding each potential attendee's free time for the next 30 days; Zhang's server transmits these electronic mail messages among the various potential meeting attendees and meeting planners, yet the server itself does not avail the meeting planner of each potential meeting attendee's schedule before the meeting invitation is initially sent out. However, Meeting Maker XP makes up for this deficiency in its teaching of a calendar window that allows a meeting planner to pick a time when all potential invitees are available by displaying "a composite of the schedules of all required and optional guests" prior to sending each potential invitee the initial meeting invitation (¶ 7). Similar to Zhang's invention, Meeting Maker XP "lets mixed-platform workgroups plan meetings and coordinate schedules over a network" (Rizzo, ¶ 2). This feature of Meeting Maker XP provides a natural enhancement to Zhang who is also facilitating group scheduling of a meeting over a network; therefore, the Examiner asserts that it would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to implement Meeting Maker XP's capability of displaying "a composite of the schedules of all required and optional guests" prior to sending each potential invitee the initial meeting invitation, which is understood as accessing each potential invitee's availability information (e.g., based on previously scheduled events, activities, vacations, etc.) as

indicated in each potential invitee's respective calendar profile via a database(s) connected to at least one server, with Zhang's invention in order to assist Zhang's meeting planner in selecting a date that is likely most amenable to all potential invitees' schedules before sending out the initial meeting invitation. This saves the meeting planner time and hassle that would otherwise be associated with going back and forth between the potential invitees until a meeting time and date free for all necessary invitees are identified and agreed upon. It is noted that Zhang's invitees may include human participants as well as resources, such as rooms and equipment, as discussed above.

Additionally, it should be noted that Rizzo's meeting planner can view a composite of all potential guests' schedules generated by the computer (i.e., an automatic determination of availability of each potential invitee), then establish a time for the meeting, and subsequently view another display with "an icon for each attendee that indicates whether or not the guest is available during the selected time" (i.e., an automatic determination of availability of each potential invitee) (¶ 7). With a click of the "Send Proposal button," the invitation is automatically sent to all invited guests, including guests who have already been determined to be available during the scheduled meeting time (¶ 8); therefore, the Examiner submits that the Zhang-Rizzo combination addresses the recited automatic sending to each of the one or more available potential invitees an invitation based on the automatic determination made by the busy time determination means as to the availability of each potential invitee as well.

Zhang discloses a system for scheduling time intervals for a plurality of invitees comprising:

[Claim 5] one or more databases, in communication with one or more servers, which store one or more invitee profiles for one or more potential invitees of the system, the one or more invitee profiles comprising user profiles wherein each user profile comprises information regarding an electronic mail address for the user (Figs. 5E, 5G, 7C; col. 11, lines 54-59);

one or more user workstations, connected over a network to the servers, operating a calendaring system that permits a user to request allocation of a time interval for the one or more potential invitees (Figs. 1B, 2, 9; col. 10, lines 44-64; col. 11, line 6 through col. 12, line 11; col. 16, lines 14-23);

wherein the calendaring system gathers profiles for the one or more potential invitees by using the electronic mail address stored in the invitee profile for the one or more potential invitees to send an invitation to the one or more potential invitees thereby making each of the one or more potential invitees an invitee, wherein the electronic mail invitation includes a plurality of response options for the invitee to respond to the electronic mail invitation, wherein the plurality of response options includes accepting the electronic mail invitation and declining the electronic mail invitation (Figs. 5E, 5G, 7C; col. 5, line 66 through col. 6, line 46; col. 11, lines 54-59);

wherein the calendaring system enables the invitee to respond to the electronic mail invitation using at least one of the plurality of response options (Fig. 7C; col. 13, lines 14-59); and

wherein the calendaring system automatically updates the invitee's invitee profile based on the invitee's response to the electronic mail invitation (col. 7, lines 27-32; col. 8, lines 59-62);

[Claim 8] wherein the invitee profiles comprise resource profiles regarding one or more resources (Figs. 8A, 8C ; col. 9, lines 23-50; col. 16, lines 14-23);

[Claim 9] wherein the one or more resources include rooms and wherein the profile comprises information about the capacity of the room (Fig. 8C; col. 9, lines 23-50; col. 15, lines 28-29);

[Claim 10] wherein the one or more resources include equipment (col. 9, lines 23-50);

[Claim 32] wherein the plurality of response options further includes assigning a substitute attendee for the meeting and requesting for re-scheduling the meeting (col. 13, lines 39-59).

Regarding claims 5 and 8, Zhang invites potential meeting attendees to a meeting using an electronic message system that transmits meeting invitations and corresponding responses via a server (as discussed above). The potential meeting attendees alert the meeting planner as to whether or not they can attend based on their own stored calendars. When a potential meeting attendee is not available for a proposed meeting, he/she has the option of attaching his/her "Calendar's Free Time Report for Next 30 Days" (Fig. 6B) in order to assist the meeting planner in assessing a better date for the proposed meeting (col. 15, lines 1-10). Therefore, Zhang's potential meeting attendees manually make the meeting planner aware of their respective

schedules and may optionally attach a file containing information regarding each potential attendee's free time for the next 30 days; Zhang's server transmits these electronic mail messages among the various potential meeting attendees and meeting planners, yet the server itself does not avail the meeting planner of each potential meeting attendee's schedule before the meeting invitation is initially sent out. However, Meeting Maker XP makes up for this deficiency in its teaching of a calendar window that allows a meeting planner to pick a time when all potential invitees are available by displaying "a composite of the schedules of all required and optional guests" prior to sending each potential invitee the initial meeting invitation (¶ 7). Similar to Zhang's invention, Meeting Maker XP "lets mixed-platform workgroups plan meetings and coordinate schedules over a network" (Rizzo, ¶ 2). This feature of Meeting Maker XP provides a natural enhancement to Zhang who is also facilitating group scheduling of a meeting over a network; therefore, the Examiner asserts that it would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to implement Meeting Maker XP's capability of displaying "a composite of the schedules of all required and optional guests" prior to sending each potential invitee the initial meeting invitation, which is understood as accessing each potential invitee's availability information (e.g., based on previously scheduled events, activities, vacations, etc.) as indicated in each potential invitee's respective calendar profile via a database(s) connected to at least one server, with Zhang's invention in order to assist Zhang's meeting planner in selecting a date that is likely most amenable to all potential invitees' schedules before sending out the initial meeting invitation. This saves the meeting

planner time and hassle that would otherwise be associated with going back and forth between the potential invitees until a meeting time and date free for all necessary invitees are identified and agreed upon. It is noted that Zhang's invitees may include human participants as well as resources, such as rooms and equipment, as discussed above.

Additionally, it should be noted that Rizzo's meeting planner can view a composite of all potential guests' schedules generated by the computer (i.e., an automatic determination of availability of each potential invitee), then establish a time for the meeting, and subsequently view another display with "an icon for each attendee that indicates whether or not the guest is available during the selected time" (i.e., an automatic determination of availability of each potential invitee) (¶ 7). With a click of the "Send Proposal button," the invitation is automatically sent to all invited guests, including guests who have already been determined to be available during the scheduled meeting time (¶ 8); therefore, the Examiner submits that the Zhang-Rizzo combination addresses the recited automatic sending to each of the one or more available potential invitees an invitation based on the automatic determination made by the busy time determination means as to the availability of each potential invitee as well.

Zhang discloses a process for scheduling time intervals for a plurality of invitees comprising:

[Claim 6] storing one or more invitee profiles for one or more potential invitees of the system in a database in communication with one or more servers, the one or more

invitee profiles comprising user profiles wherein each user profile comprises information regarding an electronic mail address for the user (Figs. 5E, 5G, 7C; col. 11, lines 54-59);

receiving a request for allocation of a time interval for the one or more potential invitees from a remote workstation over a network at one or more servers (col. 10, lines 44-64; col. 11, line 6 through col. 12, line 11; col. 16, lines 14-23);

gathering the profiles for the one or more potential invitees that are available in the database (Fig. 5E; col. 10, lines 44-64; col. 11, line 6 through col. 12, line 11; col. 16, lines 14-23 -- The listed contact names and corresponding e-mail addresses are a collection of potential invitee profiles);

inviting the one or more potential invitees to attend at the time interval requested by using the electronic mail address stored in the profile for those one or more potential invitees to send an invitation to the one or more potential invitees thereby making each of the one or more potential invitees an invitee, wherein the electronic mail invitation includes a plurality of response options for the invitee to respond to the electronic mail invitation, wherein the plurality of response options includes accepting the electronic mail invitation and declining the electronic mail invitation (Figs. 5E, 5G, 7C; col. 5, line 66 through col. 6, line 46; col. 11, lines 54-59);

enabling the invitee to respond to the electronic mail invitation using at least one of the plurality of response options (Fig. 7C; col. 13, lines 14-59); and

automatically updating the invitee's invitee profile based on the invitee's response to the electronic mail invitation (col. 7, lines 27-32; col. 8, lines 59-62);

[Claim 11] wherein the invitee profiles comprise resource profiles regarding one or more resources (Figs. 8A, 8C ; col. 9, lines 23-50; col. 16, lines 14-23);

[Claim 12] wherein the one or more resources include rooms and wherein the profile comprises information about the capacity of the rooms (Fig. 8C; col. 9, lines 23-50; col. 15, lines 28-29);

[Claim 13] wherein the one or more resources include equipment (col. 9, lines 23-50);

[Claim 33] wherein the plurality of response options further includes assigning a substitute attendee for the meeting and requesting for re-scheduling the meeting (col. 13, lines 39-59).

Regarding claims 6 and 11, Zhang invites potential meeting attendees to a meeting using an electronic message system that transmits meeting invitations and corresponding responses via a server (as discussed above). The potential meeting attendees alert the meeting planner as to whether or not they can attend based on their own stored calendars. When a potential meeting attendee is not available for a proposed meeting, he/she has the option of attaching his/her "Calendar's Free Time Report for Next 30 Days" (Fig. 6B) in order to assist the meeting planner in assessing a better date for the proposed meeting (col. 15, lines 1-10). Therefore, Zhang's potential meeting attendees manually make the meeting planner aware of their respective schedules and may optionally attach a file containing information regarding each potential attendee's free time for the next 30 days; Zhang's server transmits these electronic mail messages among the various potential meeting attendees and meeting

planners, yet the server itself does not avail the meeting planner of each potential meeting attendee's schedule before the meeting invitation is initially sent out. However, Meeting Maker XP makes up for this deficiency in its teaching of a calendar window that allows a meeting planner to pick a time when all potential invitees are available by displaying "a composite of the schedules of all required and optional guests" prior to sending each potential invitee the initial meeting invitation (¶ 7). Similar to Zhang's invention, Meeting Maker XP "lets mixed-platform workgroups plan meetings and coordinate schedules over a network" (Rizzo, ¶ 2). This feature of Meeting Maker XP provides a natural enhancement to Zhang who is also facilitating group scheduling of a meeting over a network; therefore, the Examiner asserts that it would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to implement Meeting Maker XP's capability of displaying "a composite of the schedules of all required and optional guests" prior to sending each potential invitee the initial meeting invitation, which is understood as accessing each potential invitee's availability information (e.g., based on previously scheduled events, activities, vacations, etc.) as indicated in each potential invitee's respective calendar profile via a database(s) connected to at least one server, with Zhang's invention in order to assist Zhang's meeting planner in selecting a date that is likely most amenable to all potential invitees' schedules before sending out the initial meeting invitation. This saves the meeting planner time and hassle that would otherwise be associated with going back and forth between the potential invitees until a meeting time and date free for all necessary invitees are identified and agreed upon. It is noted that Zhang's invitees may include

human participants as well as resources, such as rooms and equipment, as discussed above.

Additionally, it should be noted that Rizzo's meeting planner can view a composite of all potential guests' schedules generated by the computer (i.e., an automatic determination of availability of each potential invitee), then establish a time for the meeting, and subsequently view another display with "an icon for each attendee that indicates whether or not the guest is available during the selected time" (i.e., an automatic determination of availability of each potential invitee) (¶ 7). With a click of the "Send Proposal button," the invitation is automatically sent to all invited guests, including guests who have already been determined to be available during the scheduled meeting time (¶ 8); therefore, the Examiner submits that the Zhang-Rizzo combination addresses the recited automatic sending to each of the one or more available potential invitees an invitation based on the automatic determination made by the busy time determination means as to the availability of each potential invitee as well.

Zhang discloses a processor usable medium having processor readable code embodied therein for enabling group calendaring between a plurality of users on a computer system, the system comprising a database, associated with one or more servers, which stores one or more invitee profiles for one or more potential invitees of the system, the invitee profiles comprising user profiles wherein each user profile comprises information regarding an electronic mail address for the user (Figs. 5E, 5G,

7C; col. 11, lines 54-59), the processor readable code in the processor usable medium comprising:

[Claim 7] processor readable code for causing a processor to receive a request for allocation of a time interval for one or more potential invitees (col. 10, lines 44-64; col. 11, line 6 through col. 12, line 11; col. 16, lines 14-23);

processor readable code for causing a processor to gather the profiles for the one or more potential invitees (Fig. 5E; col. 10, lines 44-64; col. 11, line 6 through col. 12, line 11; col. 16, lines 14-23 -- The listed contact names and corresponding e-mail addresses are a collection of potential invitee profiles);

processor readable code for causing a processor to invite the one or more potential invitees to attend a meeting at the requested time interval by using the electronic mail address stored in the profile for each invitee to send an electronic mail invitation to the one or more potential invitees thereby making each of the one or more potential invitees an invitee, wherein the electronic mail invitation includes a plurality of response options for the invitee to respond to the electronic mail invitation, wherein the plurality of response options includes accepting the electronic mail invitation and declining the electronic mail invitation (Figs. 5E, 5G, 7C; col. 5, line 66 through col. 6, line 46; col. 11, lines 54-59);

processor readable code for causing a processor to enable the invitee to respond to the electronic mail invitation using at least one of the plurality of response options (Fig. 7C; col. 13, lines 14-59); and

processor readable code for causing a processor to automatically update the invitee's invitee profile based on the invitee's response to the electronic mail invitation (col. 7, lines 27-32; col. 8, lines 59-62);

[Claim 14] wherein the invitee profiles comprise resource profiles regarding one or more resources (Figs. 8A, 8C ; col. 9, lines 23-50; col. 16, lines 14-23);

[Claim 15] wherein the one or more resources include rooms and wherein the profile comprises information about the capacity of the rooms (Fig. 8C; col. 9, lines 23-50; col. 15, lines 28-29);

[Claim 16] wherein the one or more resources include equipment (col. 9, lines 23-50);

[Claim 34] wherein the plurality of response options further includes assigning a substitute attendee for the meeting and requesting for re-scheduling the meeting (col. 13, lines 39-59).

Regarding claims 7 and 14, Zhang invites potential meeting attendees to a meeting using an electronic message system that transmits meeting invitations and corresponding responses via a server (as discussed above). The potential meeting attendees alert the meeting planner as to whether or not they can attend based on their own stored calendars. When a potential meeting attendee is not available for a proposed meeting, he/she has the option of attaching his/her "Calendar's Free Time Report for Next 30 Days" (Fig. 6B) in order to assist the meeting planner in assessing a better date for the proposed meeting (col. 15, lines 1-10). Therefore, Zhang's potential meeting attendees manually make the meeting planner aware of their respective

schedules and may optionally attach a file containing information regarding each potential attendee's free time for the next 30 days; Zhang's server transmits these electronic mail messages among the various potential meeting attendees and meeting planners, yet the server itself does not avail the meeting planner of each potential meeting attendee's schedule before the meeting invitation is initially sent out. However, Meeting Maker XP makes up for this deficiency in its teaching of a calendar window that allows a meeting planner to pick a time when all potential invitees are available by displaying "a composite of the schedules of all required and optional guests" prior to sending each potential invitee the initial meeting invitation (¶ 7). Similar to Zhang's invention, Meeting Maker XP "lets mixed-platform workgroups plan meetings and coordinate schedules over a network" (Rizzo, ¶ 2). This feature of Meeting Maker XP provides a natural enhancement to Zhang who is also facilitating group scheduling of a meeting over a network; therefore, the Examiner asserts that it would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to implement Meeting Maker XP's capability of displaying "a composite of the schedules of all required and optional guests" prior to sending each potential invitee the initial meeting invitation, which is understood as accessing each potential invitee's availability information (e.g., based on previously scheduled events, activities, vacations, etc.) as indicated in each potential invitee's respective calendar profile via a database(s) connected to at least one server, with Zhang's invention in order to assist Zhang's meeting planner in selecting a date that is likely most amenable to all potential invitees' schedules before sending out the initial meeting invitation. This saves the meeting

planner time and hassle that would otherwise be associated with going back and forth between the potential invitees until a meeting time and date free for all necessary invitees are identified and agreed upon. It is noted that Zhang's invitees may include human participants as well as resources, such as rooms and equipment, as discussed above.

Additionally, it should be noted that Rizzo's meeting planner can view a composite of all potential guests' schedules generated by the computer (i.e., an automatic determination of availability of each potential invitee), then establish a time for the meeting, and subsequently view another display with "an icon for each attendee that indicates whether or not the guest is available during the selected time" (i.e., an automatic determination of availability of each potential invitee) (¶ 7). With a click of the "Send Proposal button," the invitation is automatically sent to all invited guests, including guests who have already been determined to be available during the scheduled meeting time (¶ 8); therefore, the Examiner submits that the Zhang-Rizzo combination addresses the recited automatic sending to each of the one or more available potential invitees an invitation based on the automatic determination made by the busy time determination means as to the availability of each potential invitee as well.

Zhang discloses a system for scheduling an event, comprising:

[Claim 17] a user system operable to send to the server a scheduling request specifying a list of invitees, a date, a start time, and an end time and/or a duration which

determines the end time (Figs. 1A-3C; 5D; col. 10, lines 44-64; col. 11, line 6 through col. 12, line 11; col. 16, lines 14-23), wherein

the server is further operable to:

receive the scheduling request (col. 10, lines 44-64; col. 11, line 6 through col. 12, line 11; col. 16, lines 14-23);

send an invitation to one or more of the invitees listed in the request, wherein the electronic mail invitation includes a plurality of response options for the invitee to respond to the electronic mail invitation, wherein the plurality of response options includes accepting the electronic mail invitation and declining the electronic mail invitation (Figs. 5E, 5G, 7C; col. 5, line 66 through col. 6, line 46; col. 11, lines 54-59);

receive from an invitee a response to the electronic mail invitation having at least one of the plurality of response options (Fig. 7C; col. 13, lines 14-59); and

automatically modify the availability information for the invitee if the invitee's response indicates that the invitee accepts the electronic mail invitation, wherein the availability information is modified to indicate that the invitee is busy between at least the start time and end time on the date specified in the request (col. 7, lines 27-32; col. 8, lines 59-62);

[Claim 23] wherein availability information for an invitee comprises profile information (Fig. 5E; col. 10, lines 44-64; col. 11, line 6 through col. 12, line 11; col. 16, lines 14-23);

[Claim 35] wherein the plurality of response options further includes assigning a substitute attendee for the meeting and requesting for re-scheduling the meeting (col. 13, lines 39-59).

Regarding claims 17, 18, 23, and 25, Zhang invites potential meeting attendees to a meeting using an electronic message system that transmits meeting invitations and corresponding responses via a server (as discussed above). The potential meeting attendees alert the meeting planner as to whether or not they can attend based on their own stored calendars. When a potential meeting attendee is not available for a proposed meeting, he/she has the option of attaching his/her "Calendar's Free Time Report for Next 30 Days" (Fig. 6B) in order to assist the meeting planner in assessing a better date for the proposed meeting (col. 15, lines 1-10). Therefore, Zhang's potential meeting attendees manually make the meeting planner aware of their respective schedules and may optionally attach a file containing information regarding each potential attendee's free time for the next 30 days; Zhang's server transmits these electronic mail messages among the various potential meeting attendees and meeting planners, yet the server itself does not avail the meeting planner of each potential meeting attendee's schedule before the meeting invitation is initially sent out. However, Meeting Maker XP makes up for this deficiency in its teaching of a calendar window that allows a meeting planner to pick a time when all potential invitees are available by displaying "a composite of the schedules of all required and optional guests" prior to sending each potential invitee the initial meeting invitation (¶ 7). Similar to Zhang's invention, Meeting Maker XP "lets mixed-platform workgroups plan meetings and coordinate schedules over a network" (Rizzo, ¶ 2). This feature of Meeting Maker XP provides a natural enhancement to Zhang who is also facilitating group scheduling of a meeting over a network; therefore, the Examiner asserts that it would have been

obvious to one of ordinary skill in the art at the time of Applicant's invention to implement Meeting Maker XP's capability of displaying "a composite of the schedules of all required and optional guests" prior to sending each potential invitee the initial meeting invitation, which is understood as accessing each potential invitee's availability information (e.g., based on previously scheduled events, activities, vacations, etc.) as indicated in each potential invitee's respective calendar profile via a database(s) connected to at least one server, with Zhang's invention in order to assist Zhang's meeting planner in selecting a date that is likely most amenable to all potential invitees' schedules before sending out the initial meeting invitation. This saves the meeting planner time and hassle that would otherwise be associated with going back and forth between the potential invitees until a meeting time and date free for all necessary invitees are identified and agreed upon.

Additionally, it should be noted that Rizzo's meeting planner can view a composite of all potential guests' schedules generated by the computer (i.e., an automatic determination of availability of each potential invitee), then establish a time for the meeting, and subsequently view another display with "an icon for each attendee that indicates whether or not the guest is available during the selected time" (i.e., an automatic determination of availability of each potential invitee) (¶ 7). With a click of the "Send Proposal button," the invitation is automatically sent to all invited guests, including guests who have already been determined to be available during the scheduled meeting time (¶ 8); therefore, the Examiner submits that the Zhang-Rizzo combination addresses the recited automatic sending to each of the one or more

available potential invitees an invitation based on the automatic determination made by the busy time determination means as to the availability of each potential invitee as well.

Furthermore, as per claims 19 and 20, Meeting Maker XP discloses an "Auto-Pick feature" with its composite schedule display capabilities. Auto-Pick allows a meeting planner "to get Meeting Maker XP to locate the earliest time slot available for all of your required guests" (¶ 7). Since Auto-Pick finds the earliest time slot available for all required guests, it is understood that the Auto-Pick feature assigns a greater weighting value to required guests than optional guests, which are specified by the meeting planner (¶¶ 6-7). Again, this feature of Meeting Maker XP provides a natural enhancement to Zhang who is also facilitating group scheduling of a meeting over a network; therefore, the Examiner asserts that it would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to implement Meeting Maker XP's Auto-Pick feature, which is understood as utilizing a server to determine one or more alternative start times for the event, wherein the determination is based, at least in part, on the retrieved availability information (claim 19) and wherein the determination of the one or more alternative start times is further based on weighting values assigned to one or more of the invitees (claim 20), as part of Zhang's invention in order to assist Zhang's meeting planner in selecting a date that is likely most amenable to all potential invitees' schedules before sending out the initial meeting invitation. This saves the meeting planner time and hassle that would otherwise be associated with going back and forth between the potential invitees until a meeting time and date free for all necessary invitees are identified and agreed upon. Furthermore, as more potential

invitees are invited to a meeting, it becomes more difficult to establish a date and time amenable to all invitees; therefore, it is more realistic and productive to find a date and time amenable to those invitees whose presence at the meeting is crucial. The weighting values corresponding to required or optional invitees facilitate such a determination when utilizing the Auto-Pick feature and also provide the same benefit to a user of Zhang's invention.

Zhang discloses a method for scheduling an event, comprising:

[Claim 26] receiving from an event coordinator a scheduling request specifying a list of invitees, a date, a start time, and an end time and/or a duration which determines the end time (Figs. 1A-3C; 5D; col. 10, lines 44-64; col. 11, line 6 through col. 12, line 11; col. 16, lines 14-23);

sending an invitation to one or more of the invitees listed in the request, wherein the electronic mail invitation includes a plurality of response options for the invitee to respond to the electronic mail invitation, wherein the plurality of response options includes accepting the electronic mail invitation and declining the electronic mail invitation (Figs. 5E, 5G, 7C; col. 5, line 66 through col. 6, line 46; col. 11, lines 54-59);

receiving from an invitee a response to the electronic mail invitation having at least one of the plurality of response options (Fig. 7C; col. 13, lines 14-59); and

automatically modifying the availability information for the invitee in response to receiving the invitee's response if the invitee's response indicates that the invitee accepts the invitation, wherein the availability information is modified to indicate that the

invitee is busy between at least the start time and end time on the date specified in the request (col. 7, lines 27-32; col. 8, lines 59-62);

[Claim 27] wherein availability information for an invitee comprises profile information (Fig. 5E; col. 10, lines 44-64; col. 11, line 6 through col. 12, line 11; col. 16, lines 14-23);

[Claim 36] wherein the plurality of response options further includes assigning a substitute attendee for the meeting and requesting for re-scheduling the meeting (col. 13, lines 39-59).

Regarding claims 26, 27, and 29, Zhang invites potential meeting attendees to a meeting using an electronic message system that transmits meeting invitations and corresponding responses via a server (as discussed above). The potential meeting attendees alert the meeting planner as to whether or not they can attend based on their own stored calendars. When a potential meeting attendee is not available for a proposed meeting, he/she has the option of attaching his/her "Calendar's Free Time Report for Next 30 Days" (Fig. 6B) in order to assist the meeting planner in assessing a better date for the proposed meeting (col. 15, lines 1-10). Therefore, Zhang's potential meeting attendees manually make the meeting planner aware of their respective schedules and may optionally attach a file containing information regarding each potential attendee's free time for the next 30 days; Zhang's server transmits these electronic mail messages among the various potential meeting attendees and meeting planners, yet the server itself does not avail the meeting planner of each potential meeting attendee's schedule before the meeting invitation is initially sent out. However,

Meeting Maker XP makes up for this deficiency in its teaching of a calendar window that allows a meeting planner to pick a time when all potential invitees are available by displaying "a composite of the schedules of all required and optional guests" prior to sending each potential invitee the initial meeting invitation (¶ 7). Similar to Zhang's invention, Meeting Maker XP "lets mixed-platform workgroups plan meetings and coordinate schedules over a network" (Rizzo, ¶ 2). This feature of Meeting Maker XP provides a natural enhancement to Zhang who is also facilitating group scheduling of a meeting over a network; therefore, the Examiner asserts that it would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to implement Meeting Maker XP's capability of displaying "a composite of the schedules of all required and optional guests" prior to sending each potential invitee the initial meeting invitation, which is understood as accessing each potential invitee's availability information (e.g., based on previously scheduled events, activities, vacations, etc.) as indicated in each potential invitee's respective calendar profile via a database(s) connected to at least one server, with Zhang's invention in order to assist Zhang's meeting planner in selecting a date that is likely most amenable to all potential invitees' schedules before sending out the initial meeting invitation. This saves the meeting planner time and hassle that would otherwise be associated with going back and forth between the potential invitees until a meeting time and date free for all necessary invitees are identified and agreed upon. It is noted that Zhang's invitees may include human participants as well as resources, such as rooms and equipment, as discussed above.

Additionally, it should be noted that Rizzo's meeting planner can view a composite of all potential guests' schedules generated by the computer (i.e., an automatic determination of availability of each potential invitee), then establish a time for the meeting, and subsequently view another display with "an icon for each attendee that indicates whether or not the guest is available during the selected time" (i.e., an automatic determination of availability of each potential invitee) (¶ 7). With a click of the "Send Proposal button," the invitation is automatically sent to all invited guests, including guests who have already been determined to be available during the scheduled meeting time (¶ 8); therefore, the Examiner submits that the Zhang-Rizzo combination addresses the recited automatic sending to each of the one or more available potential invitees an invitation based on the automatic determination made by the busy time determination means as to the availability of each potential invitee as well.

[Claims 30, 37] Claims 30 and 37 recite limitations already addressed by the rejection of claims 26 and 36 above; therefore, the same rejection applies.

9. Claims 21, 22, 24, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zhang et al. (U.S. Patent No. 6,016,478) in view of Meeting Maker XP, as disclosed in Rizzo ("Meeting Maker XP: ON Technology Takes Its Group Scheduler Cross-Platform"), as applied to claims 17, 23, and 27 above, and further in view of Tognazzini (U.S. Patent No. 5,790,974).

Zhang's scheduling system allows a meeting planner to specify the location and time zone of a proposed event (Figs. 5I, 6A, 7A, 13; col. 11, lines 44-53), yet Zhang does not explicitly take invitee location into account in order to determine invitee availability for a particular event; however, Tognazzini makes up for this deficiency. Tognazzini teaches an automated scheduling system that takes into account event location and invitee location in order to determine if the invitee can feasibly attend the event in question (e.g., based on travel time). There may be a periodic real-time check to see where the invitee is presently located and then if the invitee can arrive at his/her next planned event in time, based on a real-time determination of travel time to the next scheduled event. An alert is provided if the invitee is running late or stuck in traffic and cannot make his/her next scheduled event in time. Also, travel time is taken into account when determining an invitee's ability to attend a future event (column 7, lines 11-66). This consideration of travel time between locations and events helps alleviate any conflicts in scheduling that would otherwise arise due to failure to take into account the reality that travel time is needed to get from one location to another. Furthermore, Zhang's invention is intended to be utilized by participants throughout various time zones (col. 2, lines 16-20); therefore, the Examiner asserts that it would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to implement Tognazzini's consideration of event location and invitee location, including travel time, when determining invitee availability with Zhang's scheduling system in order to provide for more accurate and realistic assessment of the availability of all invitees when planning an event. For example, if one of the invitees if listed as

available for a meeting at 2 p.m. E.S.T. on a particular day in Washington, D.C., but the invitee is out in San Francisco for a meeting which runs from 12 to 1 p.m. E.S.T. (9 to 10 a.m. P.S.T.), obviously the invitee cannot likely fly back to make the meeting in Washington, D.C. within an hour. The integration of Tognazzini's scheduling features enables Zhang's invention to take such location considerations into account, thereby resulting in more "intelligent" scheduling decisions being made by Zhang as part of its scheduling features.

Furthermore, regarding claims 24 and 28, Zhang does not expressly teach that the profile information for an invitee comprises information regarding the invitee's work hours; however, Zhang assists in scheduling various events, such as business/work related meetings (Fig. 5C). Zhang also stores a schedule of resources that can be reserved, such as a conference room (Fig. 8E). Business/work related meetings and conference rooms are typically conducted and utilized during work hours; therefore, the availability of a person or a resource for work-related activities would likely depend on the person's work hours and work hours of the entity (e.g., person or business) maintaining the requested resource. As such, the Examiner asserts that it would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to include information regarding the invitee's work hours in the invitee's profile as part of the Zhang-Tognazzini combination in order to facilitate the planning of work-related events (i.e., events which are normally conducted during the work hours of a person and/or business).

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susanna M. Diaz whose telephone number is (571) 272-6733. The examiner can normally be reached on Monday-Friday, 10 am - 6 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (571) 272-6729. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Susanna Diaz

Susanna M. Diaz
Primary Examiner
Art Unit 3623

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